 <b>Internal Case Management System Worksheet - Case Closing</b>					<b>Top Allegation</b> FALSE-STATEMENT - CCRB	<b>Group</b> G34-GROUP 34 <b>Date of This Report</b> 05/02/2018	
<b>Date Reported</b> 01/18/2017	<b>Date Assigned</b> 01/18/2017	<b>IAB Log No.</b> 2017-2102	<b>Case No.</b> (G34) C-2017-29	<b>Folder Type</b> CORRUPTION	<b>Preliminary Case Type</b> CORRUPTION	<b>Follow-Up No.</b>	<b>Worksheet Tracking No.</b> 2831995

<b>Topic/Subject</b> (Case Closing) CASE CLOSING (PARTIALLY SUBSTANTIATED) / MPV	<b>Activity Date</b> 05/02/2018	<b>Activity Time</b> 19:00
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<b>Referred to Group</b> -	<b>Conferred With</b>	<b>Next Review Date</b>
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**Closing Statement**

Case#:  
C-2017-0029

Log#:  
2017-2102  
2017-2141  
2018-10515

Subject Officer(s):  
PO Wael Jaber, Tax #941281, Manhattan Court Section  
Permanent Command, 77 Precinct  
Date of Appointment: 7/10/06  
Probation(at time of incident): No  
Current Duty Status: Modified (due to unrelated incident M18-0002)

Sgt. Nicole Gonzales, Tax #934947, 77 Precinct  
Date of Appointment: 7/01/04  
Probation(at time of incident): No  
Current Duty Status: Active

PO Mitchell Epstein, Tax #954774, 77 Precinct  
Date of Appointment: 7/09/13  
Probation(at time of incident): No  
Current Duty Status: Active

Date Case Received:  
January 20, 2017

Dates of Occurrence:  
November 30, 2016 and December 30, 2016

Administrative Statute of Limitations Expires:  
05/30/2018 (allegations pertaining to interaction with the civilian complainant)  
06/30/2018 (allegations pertaining to false/misleading statements made to the CCRB)

Classification: C-1

Investigator:  
Sergeant Genina Dapolito, Tax #935081

Team Leader:  
Lieutenant Aleksandr Zekster, Tax #936017

Overall Disposition:  
Partially Substantiated / MPV

Details:

Log #2017- 2102  
On 01/18/2017, CCRB Referral 201700344 was received via email stating the following verbatim:  
This case was a spin-off of CCRB case number 201609900, a complaint made by [REDACTED]

In case CCRB # 201609900, [REDACTED] alleged that on 11/30/16 at approximately 2007 hours, she called the 77th Precinct to request information on how to gain access to the personal effects of her brother-in-law, [REDACTED], who died in July of 2016. PO Wael Jaber of the 77th Precinct answered the telephone, announcing himself as what [REDACTED] thought to be "Officer Java." [REDACTED], dissatisfied with his replies, requested to speak with a supervisor and was denied. When she reiterated this request, PO Jaber hung up the phone. She immediately called back, requested PO Jaber's name and shield number, and he hung up the phone on her again. She called a third time and asked PO Jaber for the spelling of his name and his shield number. PO Jaber spelled his name "W-I-N-G" and provided his shield number as "2400", then hung up the phone on her again.

[REDACTED] called back again and spoke with "Officer Bell" (later identified as PAA Bell-Garcia), who transferred her to Sergeant Coulter. She explained the content of her interaction with PO Jaber to the Sergeant and Sgt. Coulter told [REDACTED] that English is not PO Jaber's first language. She also provided her with information regarding how to file a CCRB complaint.

Sgt. Coulter was interviewed by the CCRB on 12/19/16. She recalled detailed elements of her conversation with [REDACTED], including that [REDACTED] had a complaint about PO Jaber, [REDACTED]'s use of the term "personal effects," and the discussion of PO Jaber's understanding of English. Sgt. Coulter testified that PO Jaber had been on patrol during the day but returned to the stationhouse to process an arrest and was seated at the desk, specifically at the telephone switchboard. She also stated that she spoke with PO Jaber after speaking with [REDACTED] and that he seemed "confused" about the timeline of [REDACTED]'s death and the reporting of it. Sgt. Coulter subsequently made a Command Log entry at 2035 hours regarding [REDACTED]'s complaint. This Command Log entry was received at the CCRB on 1/4/17 and contained [REDACTED]'s contact information, along with a notation of her complaint about PO Jaber.

PO Jaber was interviewed by the CCRB on December 30, 2016. PO Jaber confirmed that he was at the 77th Precinct stationhouse desk at the time of the incident, processing an arrest at the telephone switchboard. He denied answering any of the phones within the stationhouse during the entirety of the incident date, denied speaking with any civilians over the phone, denied speaking with the complainant and denied speaking with Sgt. Coulter regarding any such interaction. Further, Police Officer Jaber denied that he replied "W-I-N-G" and provided shield number "2400" when a civilian asked him for his name and number. When presented with the same details of [REDACTED]'s phone call which Sgt. Coulter recalled, PO Jaber did not alter his testimony.

As a result, the CCRB determined that there was sufficient evidence to establish that PO Jaber intentionally denied his participation in the incident in order to hinder the CCRB investigation and, in doing so, provided a false official statement.

#### Log #2017- 2141

On 01/18/17, this log was generated after CCRB received an additional letter from the complainant, [REDACTED], who was alleging that PO Jaber was rude to her when she called the 77 Precinct inquiring about how she could gain custody of her deceased brother-in-law's property. [REDACTED] stated she called the 77 Precinct on 11/30/16, at approximately 2007 hours to request information on how to gain access to the personal effects of her brother in-law, [REDACTED] who died in July of 2016. [REDACTED] stated that she was unsatisfied with PO Jaber replies. She stated he would not give her his correct name and shield number and that he also hung up the telephone on her numerous times. This second letter was carried under CCRB #201700344, and contained the same allegations of misconduct under investigation.

#### Log #2018-10515

On 3/17/18, this log was generated in regards to Charges and Specifications being preferred for PO Jaber.

#### 1 - PG 203-09 Page 1 Para 2 Public Contact - General / General Regulations

Said Police Officer Wael Jaber was discourteous to [REDACTED] on 3 separate occasions, by hanging up on her.

#### 2 - PG 203-09 Page 1 Para 1 Public Contact - General / General Regulations

Said Police Officer Wael Jaber did refuse to provide his name and shield number to [REDACTED]

#### 3 - PG 203-10 Page 1 Para 5 Public Contact - Prohibited Conduct / General Regulations

Said Police Officer Wael Jaber did wrongfully make misleading and inaccurate statements to the CCRB to wit: said Police Officer did deny speaking to [REDACTED] and denied speaking to Sgt. Stacey Coulter regarding his interactions with [REDACTED]

#### Identification and Interview of Complainant:

[REDACTED] F/H/44 years old, DOB: [REDACTED] who resides at [REDACTED] was interviewed by the case investigator, Sgt. Dapolito.

#### >IAB Interview

On 3/29/17, [REDACTED] stated that on 11/19/16, her family found out that her brother in-law had passed away a

couple of months ago. On 11/30/16, she called the 77 Precinct and explained to PO Jaber that her brother in-law had passed away and she wanted to know how to gain access to his personal effects. She stated that PO Jaber said to her in a very discourteous tone, What are personal effects? She explained that she was sure that she was using the right verbiage and that maybe she wasn't speaking to the correct person and then asked was there someone else she could speak to. PO Jaber told her there was no one else that she could speak to. [REDACTED] began to explain to PO Jaber what she meant by personal effects, and she stated that she wanted to know how to go about to get her deceased brother in-law's property. PO Jaber then responded, "Maybe you're using some fancy kind of verbiage that I'm not familiar with". [REDACTED] asked to speak to the Commanding Officer or his immediate supervisor and PO Jaber said that his supervisor was unavailable. PO Jaber continued to talk over her, she then asked him for the spelling of his name and badge number and that is when he hung up the telephone on her. She called back and he answered the telephone and she asked him again for the spelling of his name and badge number, and he hung up the telephone on her a second time. [REDACTED] called back a third time, requesting the same information and PO Jaber spelled a name that was not his name and gave her a badge number that she believed was not his. She then called the precinct a fourth time and spoke to a female officer, whose name she could not remember, and explained the situation to her. That officer put her on the phone with the desk officer who was a female but [REDACTED] could not remember the desk officer's name either. She expressed to the desk officer that she wanted to file a complaint and the desk officer informed her of the different options to do so. [REDACTED] opted to file the complaint on her own with CCRB.

#### >CCRB Interview

On 12/9/17, [REDACTED] was interviewed by CCRB investigators and stated that on 11/30/16, about 2000 hours, she called the 77 Precinct to confirm whether or not the precinct had any of her deceased brother in-law's personal effects. She stated she believed that it was PO Jaber who answered the phone at the Precinct Detective Squad extension. [REDACTED] stated to PO Jaber that she was trying to find out about her brother in-law's personal effects, to which PO Jaber responded "What do you mean by personal effects?" [REDACTED] explained to PO Jaber that she meant his personal property and PO Jaber responded, "Well maybe you're using some new lingo that I'm not up on." She then stated, maybe I'm not speaking to the correct person and if there was someone else she could speak to, PO Jaber stated "No". PO Jaber then stated that he could help her and asked for her brother in-law's name. [REDACTED] stated that she began to explain that she was just informed the passing Monday that her brother in-law had been deceased since July. She stated that PO Jaber responded, "Wait, July? And you're just calling now?" in a very rude tone. [REDACTED] stated that she began to explain again how her and her family were just informed that he has been dead for a while and she asked PO Jaber if he could help her because she did not feel that his tone was being very helpful. She wanted to know if there was someone else that she could speak to, [REDACTED] said that PO Jaber told her there was no one else she could speak to and that he guessed he could help her. He then asked for her brother in-law's name again and as she was trying to give him the name, PO Jaber was speaking over her. [REDACTED] asked if she could speak to his superior and PO Jaber told her that his superior was not available, then he hung up the phone on her. She stated that she called back to the detective squad extension and he picked up the phone again and stated "PO Jaber" and she told him that she needed his name and badge number because he was not being professional at all. She stated that he hung up the phone on her a second time. [REDACTED] called back a third time and made sure to pay attention to the name of the person answering the phone and he said "PO Jaber". She asked him, "How do you spell that?" and she proceeded to tell him that she really needed his name and badge number and PO Jaber spelled the name "W-I-N-G." She told PO Jaber that the spelling did not sound like the name he was saying when he answered the phone. PO Jaber told her that his badge number was 2400 and that he could not give her his full name, and hung up on her again. [REDACTED] then called the Telephone Switchboard Operator extension and spoke to a female named PO Bell. She explained her situation with PO Jaber and PO Bell transferred her to speak with Sgt. Coulter. [REDACTED] stated that she explained the situation to Sgt. Coulter and that Sgt. Coulter gave her the different options to file a complaint. One option was to file a complaint on the phone with her and the other option was to file the complaint with CCRB direct. [REDACTED] stated that she took the CCRB number from Sgt. Coulter and filed her complaint directly with CCRB.

A background inquiry on [REDACTED] disclosed that she had no arrests. IAPRO and CCRB did not disclose any previous cases. ICMS disclosed only the current allegation.

#### Identification of Subject Officers:

Po Jaber, Sgt. Gonzales and PO Epstein were identified from IAB log which was referred from CCRB.

#### Review of Department Records:

Review of the 77 Precinct Command Log disclosed that Sgt. Coulter made an entry stating [REDACTED] called the precinct with a complaint in regard to PO Jaber not answering the questions to her liking. [REDACTED] was given her options on how to file a complaint against an officer and she opted to call CCRB directly.

Review of the 77 Precinct 2nd platoon roll call for 11/30/16 disclosed that PO Jaber and PO Lau were partners.

Review of the 77 Precinct 3rd platoon roll call for 11/30/16 disclosed that PO Andreani was assigned as the Telephone Switch Board Operator.

A review of the 77 Precinct Telephone Dispatch Log for 11/30/16 disclosed that PO Andreani was assigned as the Telephone Switch Board Operator at 1530 hours. At 1650 hours, he signed off of the TS, there were no other entries on the Telephone Dispatch Log for the remainder of the tour.

A review of PO Jaber's memo book entries for 11/30/16 disclosed that he returned to the 77 Precinct with an arrest at 1400 hours and was done with arrest processing and EOT at 2040 hours.

A review of Arrest Reports in Omni for the 77 Precinct on 11/30/16 disclosed that there were 12 arrests and 3 of them were being processed around the same time that PO Jaber was processing his arrest. The 3 arrests were being processed by PO Epstein, PO Kennedy, and PO Ondrejack.

A review of the complaint and arrest report in connection with PO Jaber's arrest on 11/30/16 disclosed that he made an arrest at 1354 hours.

#### Computer and Related Background Checks:

A background inquiry of PO Jaber disclosed that he was appointed on 07/10/06. PO Jaber was placed on Level 2 Discipline Monitoring on 1/18/18. IAPRO inquiry disclosed 6 cases. There is no similar allegation. ICMS disclosed 13 logs. There is no similar allegation. CPI disclosed 14 events. There is no similar allegation. CCRB disclosed 8 cases with 12 allegations; none were substantiated.

IAB Intel (RFI#17-0094) reported that there was no information of investigative value received regarding the allegation.

PO Jaber does not have an IT history.

PO Jaber is not listed in the 77 Precinct Profile.

On 12/27/17, PO Jaber was suspended in regards to an unrelated incident (Case #M2018-0002 assigned to PBBN-IU)). PO Jaber and his partner, PO Lau, were suspended for failing to take police action at a 10-39 in progress. PO Jaber and PO Lau, failed to exit their RMP to conduct a proper investigation, after which a female victim was discovered unconscious and pronounced DOA a short time later. Both officers were suspended.

PO Jaber has a prior tax #938700(7/11/05-10/21/05). IAPRO inquiry disclosed no cases. Conferral with Personnel/Human Resource Department disclosed that there was no record of why PO Jaber resigned in 2005. Due to Hurricane Sandy, all department paper work that was stored in their warehouse has been destroyed. Personnel/Human Resources Department only has access to records from 2015-2018.

A background inquiry of Sgt. Gonzales disclosed that she was appointed on 07/1/04 and promoted to Sergeant on 3/9/15. IAPRO inquiry disclosed 3 logs. There is no similar allegation. ICMS disclosed 12 logs. There is no similar allegation. CPI disclosed 12 events. There is no similar allegation. CCRB disclosed 2 cases with 2 allegations; none were substantiated. There is no similar allegation.

Sgt. Gonzales was listed on the 77 Precinct Command Profile. During the last two years, Sgt. Gonzales was issued Charges and Specifications (M-2015-001774).

A background inquiry of PO Epstein disclosed that he was appointed on 07/9/13. IAPRO inquiry disclosed no cases. ICMS disclosed 10 logs. There is no similar allegation. CPI disclosed 5 events. There is no similar allegation. CCRB disclosed 1 cases with 1 allegation; none were substantiated. There is no similar allegation.

PO Epstein is not listed on the 77 Precinct Command Profile.

#### Conferrals Conducted:

Conferral with the Department Advocate, Agency Attorney Ji Jahng, disclosed that the appropriate Charges and Specifications against PO Jaber would be, "Making a misleading and inaccurate statement" instead of "Impeded Investigation."

Conferral with the Department Advocate, Agency Attorney Ji Jahng, also disclosed that the Department Advocate decided to incorporate the following two allegations in PO Jaber's Charges and Specifications in addition to "Making misleading and inaccurate statement". 1. Discourteous- PO Jaber was discourteous to [REDACTED] in that on three occasions, and without warning, he hung up the telephone on her. 2. Refuse to provide name and shield number- PO Jaber did refuse to provide his name and shield number to [REDACTED] upon her request.

Conferral with the Charges Unit disclosed that PO Jaber received, signed and acknowledged Charges and Specifications on 04/16/18.

#### Patrol Guide 206-13 Hearings/CCRB Interviews

>PO Jaber, IAB Interview (Subject)

On 5/2/17, PO Jaber was interviewed as a subject and stated in sum and substance that on 11/30/2016, he was working a 0705x1540 tour with PO Lau in sector Charlie. He was in the 77 Precinct station house processing his arrest in the vicinity of the telephone switchboard and the desk. He stated that he may or may have not answered the telephone switchboard telephone being that the phone is in arms reach of the TS and because he was awaiting a call from the ADA/ECAB. He did not recall

receiving a telephone call from a woman named [REDACTED] who was inquiring how to gain access to her deceased brother-in-law's personal effects. PO Jaber was not at any time assigned to the telephone switchboard and he does not know who was. He also did not answer a telephone in the detective squad. PO Jaber did not recall speaking to Sgt. Coulter, about a woman who called the precinct in regards to gaining access to her deceased brother in-law's property. PO Jaber did not hear Sgt. Coulter speaking to anyone over the telephone or in person in regards to that situation. He stated that PO Lau's first name is "Wing" and that he did not see PO Lau answer the telephone switchboard at any time on that day. PO Jaber stated that he never told anyone over the telephone that his name was "Wing Jaber" or that his shield number was 2400. PO Jaber stated he does not know PAA Bell-Garcia.

>PO Jaber, CCRB Interview (Subject)

On 04/12/17, I reviewed PO Jaber's CCRB interview which was conducted by CCRB Investigator Christopher Anderson on 12/30/16 at 1149 hours. Details are as follows: PO Jaber stated that on 11/30/16 he was working a 0705x1540 tour with PO Lau and was assigned to patrol. He stated that around 2007 hours he was inside of the station house processing an arrest. He stated he was using the computer by the telephone switchboard and he did not know who was assigned to the telephone switchboard at that time. PO Jaber stated that he did not interact with anyone outside of arrest processing and he did not handle any incoming phone calls in the station house. He stated that he did not speak to any complainants calling about how to gain custody of their deceased family member's personal effects. He stated that at no time did he read a shield number over the phone to someone and also he had not spelled out the name "W-I-N-G" to anyone over the phone as well. He stated that Sgt. Coulter was the Desk Officer at the time and that at no point did he have any interaction with her in regards to a complainant calling the precinct trying to gain access to a deceased family member's property. PO Jaber stated that he was working with PO Lau on a day tour and that PO Lau went end of tour at 1540 hours. He had no knowledge of PO Lau speaking to a complainant on the telephone in regards to this matter. When asked if he knew PO Lau's first name, PO Jaber stated that it was "Wing". (An inquiry into the Department's Personnel Profile Report and the 77 Precinct Roll Call for 11/30/16 for the 2nd platoon, disclosed that there is a PO Winghong Lau and he works in the 77 Precinct in the same squad(B-1) as PO Jaber and he was working with PO Jaber on the day of the incident.)

>Sgt. Coulter, IAB Interview (Witness)

On 3/3/17, Sgt. Coulter was interviewed as a witness and stated in sum and substance that on 11/30/16, she was working a 1450x2347 tour and assigned as the Patrol Supervisor. Around 2000 hours, she was post changed to the desk. An officer, whose name she does not recall, told her that there was a woman on the telephone for a CCRB complaint. When Sgt. Coulter got on the telephone the complainant was irate. The complainant was explaining how she called the precinct earlier inquiring about information regarding how to obtain property for a dead relative. The complainant, [REDACTED] stated that she had made a missing person report for her brother in-law, but she had recently found out that he had actually passed away. After Sgt. Coulter explained to [REDACTED] how to obtain the property, [REDACTED] proceeded to explain how she spoke to PO Jaber on the telephone and that whatever he had said to her, made her upset. Sgt. Coulter stated that around the time that she was speaking to the complainant, PO Jaber was in the vicinity of the desk and telephone switchboard. PO Jaber was in the precinct for an arrest that he had from the day tour and he was sitting at the telephone switchboard at that time. Sgt. Coulter had not spoken to PO Jaber in regards to the complaint, prior to her speaking to [REDACTED]. After she spoke with [REDACTED] she then spoke to PO Jaber. He acknowledged speaking to [REDACTED] and he seemed confused as to what [REDACTED] was actually talking about, being that she had mentioned the date July and then the date in November and also because she was speaking about a missing person report and then about a deceased person. Sgt. Coulter believed PO Jaber was confused about what date [REDACTED] was actually talking about and whether it was a detective case, etc. PO Jaber did not mention whether he did or did not give his name and shield number to [REDACTED]. Sgt. Coulter stated that PO Jaber does speak a dialect of the Arabic language, but that his English is proficient enough for him to interact on the telephone and also on patrol. When Sgt. Coulter was speaking to PO Jaber about the complaint, he had knowledge of what she was talking about.

>Sgt. Coulter, CCRB Interview (Witness)

On 12/19/16, Sgt. Coulter was interviewed as a witness by CCRB and she stated that [REDACTED] called the 77 Precinct to confirm whether or not the precinct had any of her deceased brother in-law's personal effects. [REDACTED] stated to PO Jaber that she wanted to know how she could gain access to her deceased brother in-law's personal effects. She stated PO Jaber spoke to her in a very rude tone. When asked if she could speak to his superior, he told her that his superior was unavailable, then he hung up the phone on her. She called back and he picked up the phone again and she told him that she needed his name and badge number because he was not being professional at all. He hung up the telephone on her again. [REDACTED] called back a third time and he answered the telephone again and she asked him for his name and badge number and he spelled the name "W-I-N-G." PO Jaber told her that his badge number was 2400 and that he could not give her his full name, and hung up on her again. [REDACTED] then called the Telephone Switch Operator extension and spoke to a female named PO Bell. She explained the altercation with PO Jaber and was transferred to speak with Sgt. Coulter. Sgt. Coulter gave her different options to file a complaint. [REDACTED] opted to file her complaint directly with CCRB.

>PO Andeani, IAB Interview (Witness)

On 4/7/17, PO Andeani was interviewed as a witness and stated in sum and substance that on 11/30/16, he was working a 1500x2335 tour and was assigned as the Telephone Switchboard Operator at 1530 hours. At 1705 hours, he was reassigned to Sgt.'s Operator. When he was relieved from the TS at 1705 hours, he does not remember which officer relieved him. He stated that he knows who PO Jaber is and that on this day he can't remember seeing him. PO Andeani stated that he did not come into the station house for meal and he did not hear anything about a complainant complaining about an officer being rude to her over the telephone. At the time that he was assigned to the TS, he did not receive any complaints over the telephone about an officer being discourteous. He did not have a conversation with Sgt. Coulter during his tour and he did not come back into the station house until the end of his tour.

>PO Lau, IAB Interview (Witness)

On 5/2/17, PO Lau was interviewed as a witness and stated in sum and substance that on 11/30/16, he was working a 0705x1540 tour with PO Jaber in sector Charlie. PO Lau stated that after PO Jaber made an arrest, they returned to the 77 Precinct station house. He was not assigned to the telephone switchboard that day and he did not remember seeing PO Jaber processing his arrest by the telephone switchboard either. PO Lau stated that he did not speak to a woman on the telephone who was inquiring about how to gain custody of her deceased brother-in-law's property and he did not hear anyone else speaking about or talking to a woman in regards to that situation. He stated that he has never answered the telephone in the 77 Precinct using the name "Wing Jaber" or "Wing Lau." He did not remember seeing Sgt. Coulter in the precinct that day and that he did not hear of her speaking to anyone in regards to a woman trying to gain access to her deceased brother-in-law's property.

>PAA Bell-Garcia, IAB Interview (Witness)

On 5/9/17, PAA Bell-Garcia was interviewed as a witness and stated in sum and substance that on 11/30/2016, she was working a 1500x2330 tour and was assigned to the 124 room. She stated she knows PO Jaber and that he works on day tours. PAA Bell-Garcia did not recall talking to a female complainant on the telephone inquiring about how to gain access to her deceased brother-in-law's property, nor did she hear anyone else discussing it in the precinct. She stated it was possible that a call could have come to the 124 room, with a complainant requesting to speak to a supervisor, and she could have transferred that call to the desk. She stated that if someone were to ever call the precinct requesting to speak to a supervisor in regards to making a complaint, she would transfer them to a supervisor immediately.

>Sgt. Gonzales, IAB Interview (Witness)

On 1/1/17, Sgt. Gonzales was interviewed as a witness and was later made a subject. She stated in sum and substance that on 11/30/2016, she was working a 1450x2347 tour and assigned as the Desk Officer. She stated she was relieved for meal at 2000 hours and when she returned at 2100 hours, she was informed by Sgt. Coulter about a CCRB complaint against PO Jaber. Sgt. Gonzales remembers seeing PO Jaber before she went to meal in the vicinity of the telephone switchboard. Before she went to meal, she told PO Jaber to come to an agreement with the telephone switchboard operator on a time that he would relieve the operator for meal. She did not remember who was originally assigned to the telephone switchboard. After returning from meal, Sgt. Gonzales did not remember if she spoke with PO Jaber in regards to the CCRB Complaint. Sgt. Gonzales also did not remember if she saw PAA Bell in the 124 room or if she spoke to Sgt. Coulter in regards to Sgt. Coulter speaking to PO Jaber about the CCRB complaint.

>PO Ondrejack, IAB Interview (Witness)

On 6/14/17, PO Ondrejack was interviewed as a witness and stated in sum and substance that on 11/30/16, he was working a 1500x2335 tour with PO Brower in sector Charlie. PO Ondrejack stated that he made an arrest at 2027 hours and headed back to the 77 Precinct to start his arrest processing. He was not assigned to the telephone switchboard and he was processing his arrest in the muster room. PO Ondrejack did not answer the TS telephone during his arrest processing and he did not hear anything about a woman who had called the precinct in regards to obtaining her deceased brother-in-law's property. PO Ondrejack did not know who was assigned to the TS and he did not remember seeing PO Jaber or Sgt. Coulter in the command on that day.

>PO Epstein, IAB Interview (Witness)

On 6/14/17, PO Epstein was interviewed as a witness and later made a subject. He stated in sum and substance that on 11/30/16, he was working a 1500x2335 tour with PO Koo in sector David 2. He stated that he made an arrest at 1628 hours and headed back to the 77 Precinct to start his arrest processing. He stated that Sgt. Gonzales assigned him to the telephone switchboard at 1700 hours. At 1900 hours, he was relieved from the telephone switchboard by PO Jaber and assigned as the Cell Attendant. While he was assigned to the telephone switchboard, he did answer the telephone a couple of times but he did not receive a call from a female who was inquiring about how to obtain her deceased brother-in-law's personal property or about a female stating that an officer had been rude or discourteous to her. He did not remember seeing Sgt. Coulter on that day in the station house nor did he see PO Jaber on the telephone switchboard. Sgt. Gonzales assigned him to the telephone switchboard at 1700 hours and told him work it out with PO Jaber in regards to PO Jaber covering the telephone switchboard when he went to meal.

Supervisory Deficiencies: Supervisory issues were addressed.

Programmatic Review not required.

Conclusion:

Based on the investigative findings, including a review of the related CCRB case (including the recordings of pertinent interviews), there was sufficient evidence to clearly prove the allegations against Police Officer Jaber as specified below.

Sgt. Gonzales received a LOI because while assigned as the Desk Officer, she failed to inspect and sign the Telephone Dispatch Log. PO Epstein received a LOI because while assigned as the Telephone Switch Board Operator, he failed to sign on and off of the Telephone Dispatch Log.

While Police Officer Jaber denied interacting with the complainant, the complainant's allegations were supported by the contemporaneous entries in Department Records (the Command Log), a review of her phone log and the testimony of other Members of the Service. Further, upon review of the case with the assigned Advocate, it was determined that the proper specification, supported by the evidence in the case, is "□ Making a misleading/inaccurate statement □". Case closed with an overall disposition of PARTIALLY SUBSTANTIATED / MPV.



Subjects Involved					
<b>Name</b> 934947 NICOLE GONZALES SGT (077-077 PRECINCT)	<b>Status</b> UNIFORM MEMBER OF SERVICE	<b>Sex</b> FEMALE	<b>Race</b> BLACK	<b>Dob</b> [REDACTED]	
Allegations					
<b>1 Full Allegation</b> Other Dept Rules/Procedures Violation -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 06/22/2018	<b>Finding</b> 24 - Minor Procedural Violation	<b>Finding Date</b> 06/27/2018
<b>Comments</b> DVR Other Department Rules/Procedures Violation (Failure to certify entries in the Telephone Dispatch Log) - This investigation disclosed that on 11/30/16, Sergeant Gonzales was assigned as the Desk Officer and did fail to certify entries in the Telephone Dispatch Log. LOI issued due to expired SOL.					
<b>Name</b> 941281 Wael JABER POM (077-077 PRECINCT)	<b>Status</b> UNIFORM MEMBER OF SERVICE	<b>Sex</b> MALE	<b>Race</b> WHITE	<b>Dob</b> [REDACTED]	
Allegations					
<b>1 Full Allegation</b> False-Statement - CCRB	<b>Classification</b> Perjury/False Statements	<b>Allegation Index</b> CCRB	<b>Allegation Date</b> 01/18/2017	<b>Finding</b> 12 - Unsubstantiated	<b>Finding Date</b> 04/24/2018
<b>Comments</b> False Statement- During this investigation, the Department Advocate was conferred with and it was determined after review of PO Jaber's CCRB interview that his statements did not sufficiently support the allegation of Making False Statement during the interview.  As a result, this allegation will be closed as UNSUBSTANTIATED.					
<b>2 Full Allegation</b> Additional Information Prior Log -	<b>Classification</b> NOTIFICATION/Additional Information	<b>Allegation Index</b> ADD-Additional Information	<b>Allegation Date</b> 01/20/2017	<b>Finding</b> 04 - Info. and Intelligence	<b>Finding Date</b> 04/24/2018
<b>Comments</b> Additional Information Prior Log- On 01/18/18, a secondary CCRB complaint was received from the complainant, [REDACTED] via a CCRB case# 201700344, reiterating the prior allegation.  This allegation will be closed as I&I.					
<b>3 Full Allegation</b> Fail to Provide Name/Shield -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 04/25/2018	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 04/24/2018
<b>Comments</b> Fail to Provide Name/Shield - This investigation disclosed that there was sufficient evidence to clearly prove that PO Jaber did fail to provide his name and shield to [REDACTED] upon request.  As a result, this allegation will be closed as Substantiated. The conduct described in this allegation charged in Specification #2.  2)Said Police Officer Wael Jaber, while on-duty and assigned to the 77th Precinct, on or about November 30, 2016, at approximately 2007 hours, at the 77th Precinct stationhouse, did refuse to provide his name and shield number to [REDACTED] upon [REDACTED]'s request. PG 203-09, Page 1, Paragraph 1 (Public Contact-General) General Regulations					
<b>4 Full Allegation</b> Charges & Specifications - IAB	<b>Classification</b> NOTIFICATION/Additional Information	<b>Allegation Index</b> CS-Charges and Specifications	<b>Allegation Date</b> 04/26/2018	<b>Finding</b> 04 - Info. and Intelligence	<b>Finding Date</b> 04/16/2018
<b>Comments</b> On 4/16/18, PO Jaber was served with Charges and Specifications in regards to this investigation:  1)Said Police Officer Wael Jaber, while on-duty and assigned to the 77th Precinct, on or about November 30, 2016, at approximately 2007 hours, at the 77th Precinct stationhouse, was discourteous to [REDACTED]					

		in that on (3) occasions, and without warning, said Police Officer hung up the telephone on PG 203-09, Page 1, Paragraph 2 (Public Contact-General) General Regulations			
		2)Said Police Officer Wael Jaber, while on-duty and assigned to the 77th Precinct, on or about November 30, 2016, at approximately 2007 hours, at the 77th Precinct stationhouse, did refuse to provide his name and shield number to upon request. PG 203-09, Page 1, Paragraph 1 (Public Contact-General) General Regulations			
		3)Said Police Officer Wael Jaber, while on-duty and assigned to the 77th Precinct, on or about December 30, 2016, at 100 Church Street, New York County, did wrongfully make misleading and inaccurate statements to the Civilian Complaint Review Board, to wit: said Police Officer did, in sum and substance, deny speaking to over the telephone on November 30, 2016, and deny speaking to Sergeant Coulter regarding his interactions with on November 30, 2016. PG 203-10, Page 1, Paragraph 5 (Public Contact-Prohibited Conduct) General Regulations			
5	Full Allegation FADO Discourtesy - Other Discourtesy	Classification Abuse of Dept Regulations	Allegation Index FADO	Allegation Date 06/27/2018	Finding 07 - Substantiated  Finding Date 06/27/2018
		<b>Comments</b> FADO Discourtesy (Hung up Telephone on Complainant)- This investigation was investigated by CCRB and disclosed that there was sufficient evidence to clearly prove that PO Jaber did hang up the telephone on on (3) occasions without warning. The conduct described in this allegation is charged in Specification #1.  As a result, this allegations will be closed as Substantiated. Charges and Specifications were issued.  1)Said Police Officer Wael Jaber, while on-duty and assigned to the 77th Precinct, on or about November 30, 2016, at approximately 2007 hours, at the 77th Precinct stationhouse, Kings County, was discourteous to in that on (3) occasions, and without warning, said Police Officer hung up the telephone on PG 203-09, Page 1, Paragraph 2 (Public Contact-General) General Regulations			
6	Full Allegation Official Statement - Misleading Statement - CCRB	Classification Perjury/False Statements	Allegation Index CCRB	Allegation Date 07/27/2018	Finding 07 - Substantiated  Finding Date 04/24/2018
		<b>Comments</b> Official Statement/Misleading CCRB- This investigation disclosed that though PO Jaber categorically denied his involvement in the incident, testimony from Sgt. Coulter, coupled with her contemporaneous command log entry corroborate s version of events and specifically identify PO Jaber as the officer that she interacted with. There was sufficient evidence to clearly prove that PO Jaber made misleading and inaccurate statements in his interview with the CCRB.  As a result, this allegations will be closed as SUBSTANTIATED. Charges and Specifications were issued. Conduct described in this allegation is charged in Specification #3.  3)Said Police Officer Wael Jaber, while on-duty and assigned to the 77th Precinct, on or about December 30, 2016, at 100 Church Street, New York County, did wrongfully make misleading and inaccurate statements to the Civilian Complaint Review Board, to wit: said Police Officer did, in sum and substance, deny speaking to over the telephone on November 30, 2016, and deny speaking to Sergeant Coulter regarding his interactions with on November 30, 2016. PG 203-10, Page 1, Paragraph 5 (Public Contact-Prohibited Conduct) General Regulations			
7	Full Allegation Impede Investigation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 08/08/2018	Finding 12 - Unsubstantiated  Finding Date 08/08/2018
		<b>Comments</b> Impede Investigation- During this investigation it could not be proven or disproved that PO Jaber intentionally impeded the CCRB investigation. The Advocate did not prefer the original charge of "Impeded Investigation" because merely making a referral to IAB for further investigation for false statement was not enough without an additional investigative step. PO Jaber stated to CCRB and to IAB investigators the same statement, that he did not speak to the complainant or Sgt. Coulter in regards to the incident; he added nothing else that would side track or cause IAB investigators to take any additional investigative steps.  As a result,this allegation will be closed as UNSUBSTANTIATED.			
Name		Status	Sex	Race	Dob



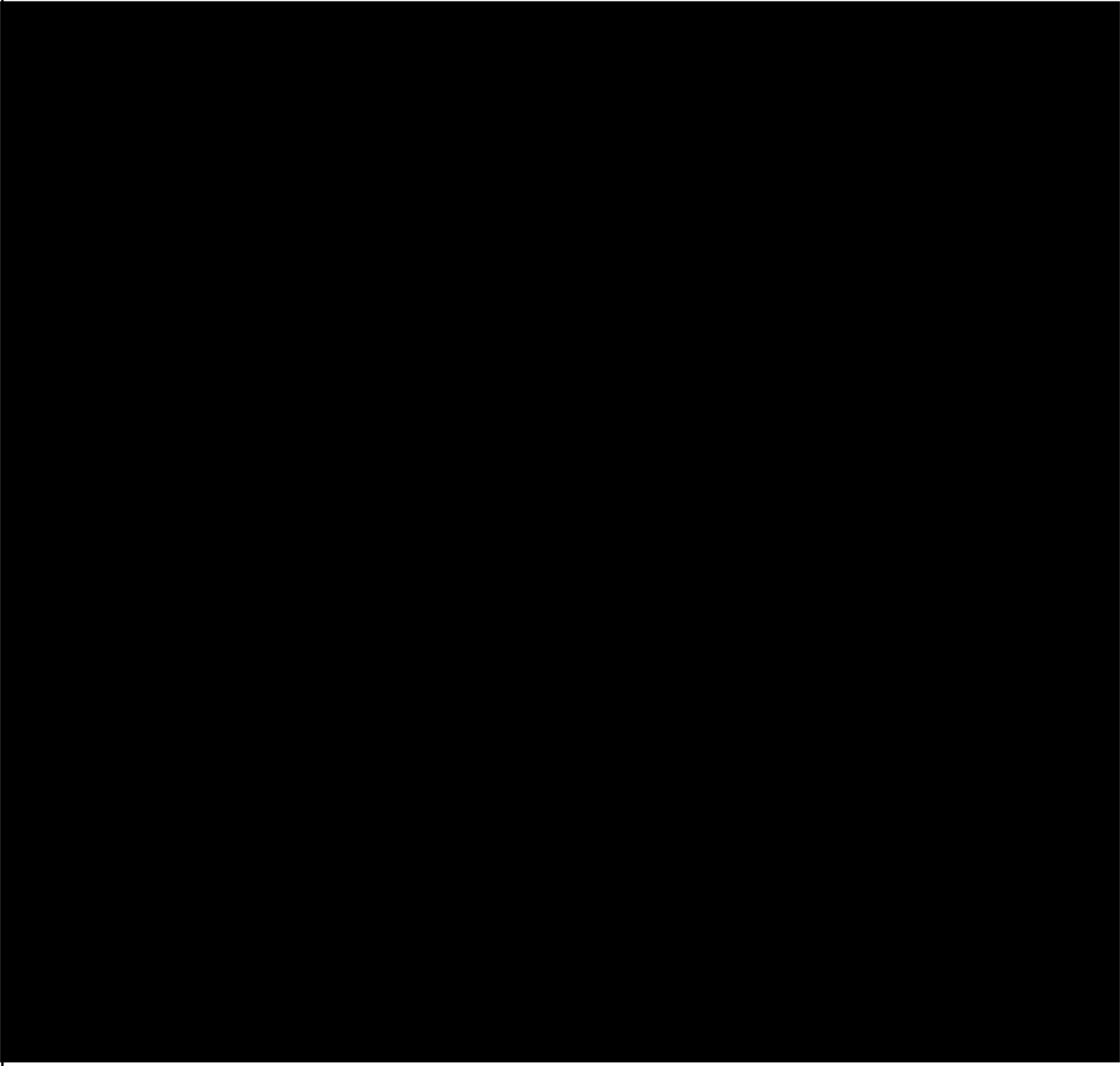
954774 MITCHELL EPSTEIN POM (077- 077 PRECINCT)	UNIFORM MEMBER OF SERVICE	MALE	WHITE	02/24/1988
<b>Allegations</b>				
<b>1 Full Allegation</b> Other Dept Rules/Procedures Violation -	<b>Classification</b> Abuse of Dept Regulations	<b>Allegation Index</b> VRP-Violation Rules/Procedures	<b>Allegation Date</b> 06/22/2018	<b>Finding</b> 24 - Minor Procedural Violation
	<b>Finding Date</b> 06/27/2018			
	<b>Comments</b> DVR Other Department Rules/Procedures Violation(Failure to sign the Telephone Dispatch Log)- This investigation disclosed that on 11/30/16, Police Officer Epstein was assigned as the Telephone Switchboard Operator and failed to sign the Telephone Dispatch Log. LOI issued due to expired SOL.			

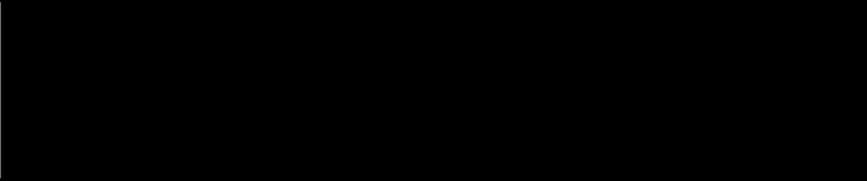
<b>ATTACHMENT</b>
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1	 <u>'LETTER TO COMPLAINANT-[REDACTED]'</u>
2	 <u>'PREFERRED CHARGES AND SPECIFICATIONS'</u>
3	 <u>'CCRB CASE CLOSING #2016-09900'</u>
4	 <u>'CHARGES AND SPECIFICATIONS REQUEST'</u>
5	 <u>'LOI- SGT GONZALES'</u>
6	 <u>'LOI-PO EPSTEIN'</u>
7	 <u>'NOTIFICATION OF DISPOSITION-PO EPSTEIN'</u>
8	 <u>'NOTIFICATION OF DISPOSITION-SGT. GONZALES'</u>
9	 <u>'NOTIFICATION OF DISPOSITION-PO JABER'</u>
10	 <u>'ZONE 2 C.O. RECOMMENDATIONS'</u>

11	<div>NO IMAGE AVAILABLE</div> <div><u>'SIGNED CHARGES'</u></div>
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<b>Reporting Officer:</b>	<b>Rank</b> SGT	<b>Name</b> DAPOLITO GENINA	<b>Tax Reg. No.</b> 935081		<b>Command</b> G34-GROUP 34	
<b>Reviewing Supervisor:</b>	<b>Manner of Closing</b> CM - PARTIALLY SUBSTANTIATED / MINOR PROCEDURAL VIOLATION	<b>Date Reviewed</b> 10/01/2018	<b>Date of Next Review</b>	<b>Name</b> COOPER ALAN		<b>Supv. Tax No.</b> 885434
<b>Endorser:</b>	<b>Rank</b> LT	<b>Name</b> ZEKTSER ALEKSANDR	<b>Tax Reg. No.</b> 936017	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 06/05/2018 16:05	<b>Status</b> Approved
<b>Comments</b> APPROVED. ALL INVESTIGATIVE STEPS ARE COMPLETE. RECOMMEND THE CASE BE CLOSED WITH AN OVERALL DISPOSITION OF PARTIALLY SUBSTANTIATED.						
<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> MCBRIDE WILLIAM	<b>Tax Reg. No.</b> 899550	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 06/08/2018 20:03	<b>Status</b> Approved
<b>Comments</b> RECOMMEND THIS CASE BE CLOSED WITH AN OVERALL DISPOSITION OF PARTIALLY SUBSTANTIATED						
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> FRIAS JOSE	<b>Tax Reg. No.</b> 907707	<b>Command</b> Z02-ZONE 2	<b>DateTime Reviewed</b> 06/22/2018 12:38	<b>Status</b> Rejected
<b>Comments</b> <div></div>						
<b>Endorser:</b>	<b>Rank</b> LT	<b>Name</b> ZEKTSER ALEKSANDR	<b>Tax Reg. No.</b> 936017	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 07/10/2018 16:12	<b>Status</b> Approved
<b>Comments</b> APPROVED. ALL ADDITIONAL STEPS ARE ADDRESSED.						

<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> MCBRIDE WILLIAM	<b>Tax Reg. No.</b> 899550	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 07/15/2018 19:11	<b>Status</b> Approved
	<b>Comments</b> ADDITIONAL STEPS AND CORRECTIONS COMPLETED. RECOMMEND THIS CASE BE CLOSED WITH AN OVERALL DISPOSITION OF PARTIALLY SUBSTANTIATED.					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> FRIAS JOSE	<b>Tax Reg. No.</b> 907707	<b>Command</b> Z02-ZONE 2	<b>DateTime Reviewed</b> 07/16/2018 22:34	<b>Status</b> Approved
	<b>Comments</b> CONCUR WITH INVESTIGATIVE FINDINGS. CASE CLOSED AS PARTIALLY SUBSTANTIATED					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> RICCIARDI MICHAEL	<b>Tax Reg. No.</b> 902273	<b>Command</b> Z02-ZONE 2	<b>DateTime Reviewed</b> 07/18/2018 11:28	<b>Status</b> Rejected
	<b>Comments</b> 					
<b>Endorser:</b>	<b>Rank</b> LT	<b>Name</b> ZEKTSER ALEKSANDR	<b>Tax Reg. No.</b> 936017	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 08/23/2018 14:23	<b>Status</b> Approved
	<b>Comments</b> APPROVED. ALL ADDITIONAL STEPS ADDRESSED AS DIRECTED.					

<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> MCBRIDE WILLIAM	<b>Tax Reg. No.</b> 899550	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 09/03/2018 15:45	<b>Status</b> Approved
	<b>Comments</b> ADDITIONAL STEPS AND CORRECTIONS COMPLETED. RECOMMEND THIS CASE BE CLOSED WITH AN OVERALL DISPOSITION OF PARTIALLY SUBSTANTIATED.					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> RICCIARDI MICHAEL	<b>Tax Reg. No.</b> 902273	<b>Command</b> Z02-ZONE 2	<b>DateTime Reviewed</b> 09/04/2018 07:52	<b>Status</b> Rejected
	<b>Comments</b> 					
<b>Endorser:</b>	<b>Rank</b> LT	<b>Name</b> ZEKTSE ALEKSANDR	<b>Tax Reg. No.</b> 936017	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 09/07/2018 11:28	<b>Status</b> Approved
	<b>Comments</b> APPROVED. ADDITIONAL STEPS ADDRESSED AS DIRECTED.					
<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> MCBRIDE WILLIAM	<b>Tax Reg. No.</b> 899550	<b>Command</b> G34-GROUP 34	<b>DateTime Reviewed</b> 09/07/2018 12:34	<b>Status</b> Approved
	<b>Comments</b> ADJUSTMENTS HAVE BEEN COMPLETED.					
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> RICCIARDI MICHAEL	<b>Tax Reg. No.</b> 902273	<b>Command</b> Z02-ZONE 2	<b>DateTime Reviewed</b> 09/07/2018 14:20	<b>Status</b> Approved
	<b>Comments</b> ALL STEPS COMPLETED  RECOMMEND CASE CLOSED AS PART SUB/MPV					
<b>Endorser:</b>	<b>Rank</b> DC	<b>Name</b> COOPER ALAN	<b>Tax Reg. No.</b> 885434	<b>Command</b> CRI-CRIMINAL INVESTIGATIONS	<b>DateTime Reviewed</b> 10/01/2018 13:25	<b>Status</b> Approved
	<b>Comments</b> CONCUR, CASE CLOSED.					